

Message Text

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FM SECSTATE WASHDC

TO HICOMTERPACIS, SAIPAN, MARIANA ISLANDS

UNCLAS STATE 239857

E.O. 11652: N/A

TAGS: PGOV, TQ

SUBJECT: LAND REVISION-ENEWETAK

DOTA NO. 391-TT

FOR DEPHICOM. REUR LETTER OF OCT. 18, 1974, LAND REVERSION
ENEWETAK IF TRANSFERS OF UJELANG AND ENEWETAK ARE TO OCCUR
SUCH TRANSFERS SHOULD PRECLUDE FUTURE CLAIMS, LEGAL PROBLEMS,
AND POLITICAL PROBLEMS. THE FOLLOWING QUESTIONS AND POSSIBLE
ISSUES PRESENT THEMSELVES DUE TO THE FEUDALISTIC MARSHALLESE
LAND TENURE SYSTEM:

1. WHAT IS THE BASIS FOR THE TTPI CLAIM TO OWNERSHIP OF UJELANG.
(LEGAL AND HISTORICAL)

2. IS THERE A POSSIBILITY OF CLAIMS TO UJELANG BY ANY OF THE
FOLLOWING:

- (A) IROIJ EDRIK?
- (B) IROIJ LABLAB?
- (C) ALAB?
- (D) DRI JERBAL?

3. AS TO UJELANG WHO IS THE:

(A) IROIJ EDRIK? (B) IROIJ LABLAB?

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(C) ALAB?

4. HAVE THE APPROPRIATE IROJIS AND/OR ALABS BEEN CONSULTED ABOUT TRANSFER OF TTPI INTERESTS IN UJELANG TO THE ENEWETAKESE?

5. IS THERE A POSSIBILITY THAT THE NITEJELA AND/OR POLITICAL OR TRADITIONAL LEADERS IN THE MARSHALLS WOULD OBJECT TO DIMINUTION OF THE PUBLIC DOMAIN BY CONVEYANCE TO THE ENEWETAKESE AT THIS POINT IN TIME JUST PRIOR TO TRANSFER OF PUBLIC LANDS TO DISTRIBUT ENTITIES?

6. WOULD APPROPRIATE IROJIS AND ALABS JOIN INTO A QUIT-CLAIM CONVEYANCE OF UJELANG TO THE "DRI JERBAL" OR "DRI ENEWETAKESE."

7. WHAT NEGATIVES DO YOU PERCEIVE IF THE TTPI QUIT-CLAIMS ITS INTEREST (IF ANY) IN UJELANG TO:
(A) "THE PEOPLE OF ENEWETAK"?
(B) "THE IROIJ, ALAB, AND PEOPLE OF ENEWETAK AS THEIR RESPECTIVE INTERESTS MAY APPEAR"?

8. WHAT NEGATIVES DO YOU PERCEIVE IF TTPI (AFTER RECEIVING A QUITCLAIM FROM THE US) QUITCLAIMS ITS INTEREST (LESS PARCELS NEEDED TO BE RESERVED) TO:

(A) "THE PEOPLE OF ENEWETAK"?
(B) "THE IROIJ, ALAB, AND PEOPLE OF ENEWETAK AS THEIR RESPECTIVE INTERESTS MAY APPEAR"?

9. DO YOU PERCEIVE NEGATIVES IN UTILIZATION OF EXPRESS QUITCLAIM LANGUAGE IN DEED WITH EXPRESS DENIAL OF WARRANTY REPRESENTATIONS?

SUGGEST MAYNARD NEAS RESEARCH THESE ISSUES, REPORT HIS TITLE FINDINGS, AND RENDER A TITLE OPINION ON THE MATTER.

WE ARE GIVING THOUGHT TO PROPOSED MEETING BUT WOULD RATHER IT TAKE PLACE NOV. 25-27TH. ARE THESE DATES SATISFACTORY TO YOU AND MLSC? FROM OUR POINT OF VIEW WE SEE MEETING AS HEICL TO DIVEST US/TTPI OWNERSHIP, IF ANY, IN THE TWO ATOLLS. IF MLSC HAS PROBLEMS WITH PROPOSED TRANSFER AGREEMENT BACK TO UNCLASSIFIED

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TTPI, THIS WILL BE PRIMARILY WITH DNA. REPLY ASAP. CARPENTER SENDS. INGERSOLL

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